

WESTERN AUSTRALIA

LEGISLATIVE ASSEMBLY

VOTES AND PROCEEDINGS

No. 125

FIRST SESSION OF THE FORTIETH PARLIAMENT

TUESDAY, 7 MAY 2019

1. Meeting of Assembly

The Assembly met at 2.00 pm pursuant to adjournment.

The Speaker took the Chair.

An Acknowledgement of Country and Prayers were read.

2. Speaker's Statement – Letter from the Speaker of the New Zealand House of Representatives

The Speaker advised members that he had received a letter from the Speaker of the New Zealand House of Representatives, the Right Honourable Trevor Mallard, expressing appreciation for this House's motion of sympathy to the people of New Zealand following the terrorist attack in Christchurch and read the letter to the House.

3. Brief Ministerial Statements

Brief Ministerial Statements were made by –

The Minister for Health on the establishment of the Precision Health Council.

The Minister for Corrective Services on the departure of Professor Neil Morgan from the role of Inspector of Custodial Services.

The Minister for Energy on the government response to the Economic Regulation Authority Report on the Effectiveness of the Wholesale Electricity Market 2018.

4. Speaker's Statement – Budget Day

The Speaker advised members that in accordance with standard practice, the government had requested that the budget be presented at 2.00 pm on Thursday, 9 May 2019. Accordingly, members' 90-second statements would occur at 12.20 pm and Questions without Notice at 12.30 pm on that day.

5. Questions

Questions without Notice were taken.

Questions on Notice Nos 5085 to 5125 were asked.

Questions on Notice Nos 4374, 4432, 4449, 4466, 4844 to 4847, 4850, 4854 to 4856, 4859 to 4863, 4865 to 4872, 4874, 4875, 4877 to 4879, 4881 to 4886, 4888 to 4899, 4901 to 4907, 4910, 4919, 4921,

4922, 4929, 4931, 4938, 4939, 4941 to 4943, 4949 to 4951, 4953 to 4956, 4959, 4960, 4967 to 4972, 4974, 4975, 4977 to 4979, 4981 to 4984, 4986, 4993, 4995, 4996, 4998 to 5001, 5003, 5008, 5010, 5012, 5013, 5015 to 5018, 5020, 5025, 5027, 5028, 5030, 5031, 5033 to 5036, 5038, 5043, 5044, 5048 to 5052, 5057 and 5073 were answered.

Paper tabled by the Minister for Health –

Question on Notice No. 4882 – Patients placed in over-census beds at metropolitan hospitals each month from 2016 until February 2019 (2399).

Paper tabled by the Minister for Local Government –

Question on Notice No. 4890 – Minutes of the Off-Road Vehicles Advisory Committee meeting of Tuesday 30 November 2016 (2400).

Paper tabled by the Minister for Sport and Recreation –

Question on Notice No. 4939 – Details of approved KidSport organisations and list of local governments able to assess and approve KidSport applicants (2401).

Paper tabled by the Minister for Tourism –

Question on Notice No. 4859 – List of attendees to the Minister for Tourism's Industry Luncheon in Sydney on 27 February 2018 (2402).

Paper tabled by the Minister for Mines and Petroleum; Energy; Industrial Relations –

Question on Notice No. 4850 – Details of power outages for the communities surrounding Geraldton for the last three years (2403).

Papers tabled by the Minister for Water; Fisheries; Forestry; Innovation and ICT; Science –

Question on Notice No. 4432 – Details of spend on videography services by departments, agencies, boards, public owned corporations or Ministerial Offices in the Minister for Water's portfolio since 17 March 2017 (2404).

Question on Notice No. 4449 – Details of spend on video editing services by departments, agencies, boards, public owned corporations or Ministerial Offices in the Minister for Water's portfolio since 17 March 2017 (2405).

6. Unanswered Questions on Notice

The following members asked why no answer had been received in respect of their Questions on Notice –

Mr D.T. Redman – Questions on Notice Nos 4852, 4923 to 4925, 4940, 4945 to 4948 and 4961 to 4964.

Mr S.K. L'Estrange – Question on Notice No. 4880.

Mr P.A. Katsambanis – Questions on Notice Nos 4838 to 4840, 4876, 4920, 4926 to 4928, 4930, 4934 to 4937 and 5045 to 5047.

Mr W.R. Marmion – Question on Notice No. 4506.

Dr M.D. Nahan – Questions on Notice Nos 4739, 4842, 4853, 4864, 4873, 4976, 4980, 4985, 4987 to 4992, 4994, 4997, 5002, 5004 to 5007, 5011, 5014, 5019, 5021 to 5024, 5026, 5029, 5032, 5037 and 5039 to 5042.

7. Additional Information

The Minister for Health provided additional information relating to Question on Notice No. 2082 from Mr Z.R.F. Kirkup.

Paper

The following paper was presented and ordered to lie upon the Table of the House –

By the Minister for Health –

Health, Minister for – Question on Notice No. 2082 – Correction of Answer in Relation to Over-census Beds Across Public Hospitals and at Contracted Health Entities (Hospitals) (2406).

8. Speaker's Statement – Portrait of Sir Charles Court and Richard Court

The Speaker, in his capacity as Chair of the Parliament House Art Advisory Committee, advised members of the portrait of former Western Australian Premiers, Sir Charles Court and Hon Richard Court, which had recently been put on display in the Speaker's Corridor. The National Portrait Gallery offered the Parliament the portrait on an extended loan while the Gallery was closed for renovations. The painting will be on display until mid-2021.

9. Papers

The following papers were presented and ordered to lie upon the Table of the House –
By the Clerk –

Building Act 2011 – Regulations (Commerce Regulations Amendment (Infringement Notices) Regulations 2019 G.G. 26/04/2019) (2375).

Conservation and Land Management Act 1984 – Lease 2944/97 between the Department of Biodiversity, Conservation and Attractions and Optus Mobile Pty Limited to install, operate and maintain a telecommunication facility within South32's Boddington mining lease area, located on timber reserve 148/25 at Mount Saddleback near Boddington (2376).

Dog Act 1976 – Local Laws (City of Karratha Dogs Local Law 2019 G.G. 29/04/2019) (2377).

Dog Act 1976 – Local Laws (Shire of Tammin Dogs Amendment Local Law 2019 G.G. 30/04/2019) (2378).

Economic Regulation Authority Act 2003 – Regulations (Economic Regulation Authority (Railways Access Funding) Regulations 2019 G.G. 03/05/2019) (2379).

Energy Safety Act 2006 – Notices (Energy Safety Levy Notice 2019 G.G. 12/04/2019) (2380).

Environmental Protection Act 1986 – Regulations (Environmental Protection (Clearing of Native Vegetation) Amendment Regulations 2019 G.G. 03/05/2019) (2381).

Fair Trading Act 2010 – Notices (Consumer Goods (Self-balancing Scooters) Amendment Safety Standard 2019 G.G. 12/04/2019) (2382).

Financial Management Act 2006 – Notice given under section 82 of the Act by the Acting Minister for Child Protection; Women's Interests; Prevention of Family and Domestic Violence; Community Services to not provide information in response to question (e) of Legislative Council Question on Notice 1963 from the Hon. Nick Goiran (2383).

Fish Resources Management Act 1994 – Management Plans (Pilbara Fish Trawl Interim Managed Fishery Management Plan Amendment 2019 [1417] G.G. 26/04/2019) (2384).

Inspector of Custodial Services, Office of the – Strip Searching Practices in Western Australian Prisons (Received by the Speaker of the Legislative Assembly on 19 March 2019 and held for a period of 30 days. Deemed tabled by the Clerk of the Legislative Assembly on 18 April 2019) (2374).

Local Government Act 1995 – Local Laws (City of Bayswater Fencing and Floodlighting Local Law 2016 G.G. 01/05/2019) (2385).

Local Government Act 1995 – Local Laws (Shire of Collie Parking and Parking Facilities Amendment Local Law 2019 G.G. 03/05/2019) (2386).

Local Government Act 1995 – Local Laws (Shire of Tammin Activities on Thoroughfares and Public Places and Trading Amendment Local Law 2019 G.G. 30/04/2019) (2387).

Local Government Act 1995 – Local Laws (Shire of Tammin Cemeteries Amendment Local Law 2019 G.G. 30/04/2019) (2388).

Local Government Act 1995 – Local Laws (Shire of Tammin Fencing Amendment Local Law 2019 G.G. 30/04/2019) (2389).

Local Government Act 1995 – Local Laws (Town of Bassendean Bee Keeping Local Law 2018 G.G. 30/04/2019) (2390).

Local Government Act 1995 – Local Laws (Town of Bassendean Dust and Building Waste Local Law 2018 G.G. 30/04/2019) (2391).

Local Government Act 1995 – Local Laws (Town of Bassendean Repeal Local Law 2018 G.G. 30/04/2019) (2392).

Minister for Tourism; Racing and Gaming; Small Business; Defence Issues; Citizenship and Multicultural Interests – Report of Official Visit to India 4–7 March 2019 (2393).

Official Travel – Report of Overseas Air Travel Undertaken by Ministers, Parliamentary Secretaries and Government Officers on Official Business for the Three Months ended 30 September 2018 (2394).

Plumbers Licensing Act 1995 – Regulations (Plumbers Licensing and Plumbing Standards Amendment Regulations 2019 G.G. 09/04/2019) (2395).

Professional Standards Act 1997 – Schemes (The Bar Association of Queensland Professional Standards Scheme G.G. 16/04/2019) (2396).

Residential Parks (Long-stay Tenants) Act 2006 – Regulations (Commerce Regulations Amendment (Family Violence) Regulations 2019 G.G. 09/04/2019) (2397).

Waste Avoidance and Resource Recovery Act 2007 – Regulations (Waste Avoidance and Resource Recovery (Container Deposit Scheme) Regulations 2019 G.G. 18/04/2019) (2398).

Western Australian Planning Commission – Improvement Plan 47 Mandogalup, November 2018 (Received by the Clerk of the Legislative Assembly and deemed tabled on 16 April 2019) (2373).

10. Notices of Motion

11. Variation to the Order of Business

Ordered, That Business of the Assembly Order of the Day No. 1 be postponed to the next sitting of the Assembly.

12. Suspension of Standing Orders – Infrastructure Western Australia Bill 2019

The Minister for Police, on behalf of the Leader of the House, pursuant to notice, moved,

That so much of the Standing Orders be suspended as is necessary to enable the Infrastructure Western Australia Bill 2019 to proceed forthwith to the third reading following consideration in detail.

Question put and passed.

13. Removal of Order of the Day

The Acting Speaker advised that Private Members' Business Order of the Day, Management of the Tourism Portfolio, had not been debated for more than 12 calendar months and had been removed from the Notice Paper.

14. Pay-roll Tax Assessment Amendment Bill 2019

The Order of the Day for the resumption of the debate upon the second reading of the bill was read.

Debate resumed.

Question put and passed.

Bill read a second time.

CONSIDERATION IN DETAIL

Clauses 1 to 7 agreed to.

Title agreed to.

Consideration in detail concluded.

Leave was granted to proceed forthwith to the third reading of the bill.

The Minister for Finance moved, That the bill be now read a third time.

Debate ensued.

Question put and passed.

Bill read a third time and forwarded to the Legislative Council for concurrence.

15. Infrastructure Western Australia Bill 2019

The Order of the Day for the further consideration in detail of the bill was read.

CONSIDERATION IN DETAIL

Clause 8.

Mr D.T. Redman had moved,

Page 8, after line 25 – To insert:

“

- (4) When performing its functions in a regional context Infrastructure WA must consult the relevant Regional Development Commission for advice on:
 - (a) capacity for the project to unlock economic potential of the region;
 - (b) service equity to regional communities;
 - (c) cultural considerations where appropriate; and
 - (d) other matters as directed by the Premier.

”.

Mr D.T. Redman, by leave, withdrew his amendment.

The Premier moved,

Page 8, after line 13 – To insert:

- “ (ba) the infrastructure needs of the non-metropolitan regions; ”.

Page 8, lines 24 and 25 – To delete the lines and substitute:

“

relevant, appropriate and practicable, to consult with interested persons, including (without limitation) the Regional Development Commissions, established under the *Regional Development Commissions Act 1993*, and other persons with knowledge of or an interest in the infrastructure needs of the non-metropolitan regions.

”.

Amendments put and passed.

Clause 8, as amended, agreed to.

Clauses 9 to 76 agreed to.

Title agreed to.

Consideration in detail concluded.

The Premier moved, That the bill be now read a third time.

Debate ensued.

Question put and passed.

Bill read a third time and forwarded to the Legislative Council for concurrence.

16. Suitors' Fund Amendment Bill 2017

Message No. 80 dated 7 May 2019 from the Legislative Council was reported as follows –

The Legislative Council acquaints the Legislative Assembly that it has agreed to the *Suitors' Fund Amendment Bill 2017* subject to the amendments contained in the Schedule annexed; in which amendments the Legislative Council desires the concurrence of the Legislative Assembly.

Schedule indicating the amendments made by the Legislative Council in the Suitors' Fund Amendment Bill 2017.

No. 1

Clause 2, page 2, line 5 — To delete “and 2 — ” and insert:

to 3 and 6 —

No. 2

New Clause 6, page 3, after line 12 — To insert:

6 Section 18 inserted

After section 17 insert —

18. Review of Act

- (1) The Minister must review the operation and effectiveness of this Act, and prepare a report based on the review, as soon as practicable after the 2nd anniversary of the day on which the *Suitors' Fund Amendment Act 2017* section 6 comes into operation.
- (2) The review must address the following —
 - (a) the effect of the levy payable under section 5 on access by litigants to the courts;
 - (b) the extent to which recommendations from reports of the Law Reform Commission of Western Australia relating to the operation of this Act have not been implemented; and
 - (c) any other matters that appear to the Minister to be relevant to the operation and effectiveness of this Act.
- (3) The Minister must cause the report to be laid before each House of Parliament as soon as practicable after it is prepared, but not later than 12 months after the 2nd anniversary.

Ordered, That consideration in detail of Legislative Council Message No. 80 be made an Order of the Day for the next sitting of the Assembly.

17. Messages from the Legislative Council

Messages from the Legislative Council were reported returning the following bills without amendment —
7 May 2019

Suitors' Fund Amendment (Levy) Bill 2017 (Message No. 81).

Child Support (Commonwealth Powers) Bill 2018 (Message No. 82).

18. Adjournment

The Leader of the House moved, That the House do now adjourn.

Question put and passed.

The Assembly adjourned accordingly at 11.36 pm until Wednesday, 8 May 2019 at 12 noon.

Members present during any part of the day's proceedings – All the members except Mrs A.K. Hayden, Mr J.E. McGrath and Mr K.M. O'Donnell.

KIRSTEN M. ROBINSON
Clerk of the Legislative Assembly

HON. PETER WATSON
Speaker of the Legislative Assembly